

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA**

**vs.**

**Case. No.: 97-CR-0082-044(SEC)**

**HAROLD RIVERA-RODRIGUEZ  
T/N HAROLD RIVERA-MIRANDA  
\*\*\*\*\***

**SUPPLEMENT TO MOTION FILED ON DECEMBER 6, 2005**

TO THE HONORABLE SALVADOR E. CASELLAS  
U.S. DISTRICT JUDGE  
DISTRICT OF PUERTO RICO

**COMES NOW, VICTOR M. CANINO U.S. PROBATION OFFICER of this Honorable Court,** presenting the following supplemental report on Mr. Harold Rivera-Rodríguez.

On April 16, 1999, to eighty-seven (87) months of imprisonment after pleading guilty to violating Title 18 U.S.C. § 846. A four (4) year supervised release term was also imposed with the following special conditions: Mr. Rivera-Rodríguez was ordered to submit to urinalyses and engage in treatment if necessary and participate in vocational training and job placement programs. He was further ordered to pay a \$100.00 special monetary assessment.

On December 6, 2005, the United States Probation Officer filed a motion requesting modification of conditions as well as an arrest warrant based on the fact that Mr. Rivera-Rodríguez was kicked out of his home and would not report to the United States Probation Office. The motion was granted and an arrest warrant was issued.

Subsequent to the motion being filed, Mr. Rivera-Rodríguez was arrested on February 7, 2006 for possession with intent to distribute cocaine and heroin.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

***YOU SHALL NOT COMMIT ANOTHER FEDERAL OR LOCAL CRIME:***

On February 7, 2006, Mr. Rivera-Rodríguez was arrested in Ponce, Puerto Rico. According to the documentation received by the Ponce Municipal Court, Mr. Rivera-Rodríguez sold cocaine to an undercover police officer. He was subsequently charged with Possession with intent to Distribute Cocaine and Heroin. Probable cause was found and bail was set at \$110,000. The case has been continued to October 9, 2006. No further disposition has been determined.

***VIOLATION OF STANDARD CONDITION #2: Defendant shall submit a truthful and complete written report within the first five days of each month.***

Mr. Rivera-Rodríguez has failed to provide monthly supervision reports since December 2005.

***VIOLATION OF CONDITION #3: Defendant shall follow the instructions of the Probation Officer.***

On November 23, 2005, a letter was mailed to Mr. Rivera-Rodríguez' address of record instructing him to report to the United States Probation Office. He failed to report.

***VIOLATION OF CONDITION # 11: The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.***

Mr. Rivera-Rodríguez has never notified this officer of his arrest.

**WHEREFORE**, I declare under penalty of perjury that the foregoing is true and correct and unless the Court rules otherwise, it is respectfully requested that the aforementioned information be made part of the previously filed motion December 6, 2005.

In San Juan, Puerto Rico, this 16<sup>th</sup> day of August 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

S/Víctor M. Canino  
U.S. Probation Officer  
150 Carlos Chardón Avenue  
Federal Office Building, Room 400  
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#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on, August 16, 2006, I electronically filed the foregoing motion with the Clerk of the Court using the EM/ECF system which will send notification of such filing to the following: Bert Garcia , U.S. Attorney, and Joseph Laws of the United States Federal Public defenders Office.

At San Juan, Puerto Rico this 16<sup>th</sup> day of August 2006.

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